

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT  
TO THE GEORGIA COMPOSITE BOARD OF  
PROFESSIONAL COUNSELORS, SOCIAL WORKERS AND  
MARRIAGE AND FAMILY THERAPISTS  
CHAPTER 135-9 CONTINUING EDUCATION  
AND NOTICE OF PUBLIC HEARING**

**TO ALL INTERESTED PERSONS AND PARTIES:**

Notice is hereby given that pursuant to the authority set forth below, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists (hereinafter "Board") proposes an amendment to the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, Chapter 135-9 Continuing Education, Rule 135-9-.02 Documentation, (hereinafter "proposed rule amendment").

The proposed rule amendment clarifies the biennial renewal process.

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists office website at [www.sos.state.ga.us/plb/counselors](http://www.sos.state.ga.us/plb/counselors) or by contacting the Board office at 478-207-2440.

A public hearing is scheduled to begin at 1:00 p.m. on September 12, 2008 in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be presented in writing. Written comments are welcomed. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m. EDT) on September 5, 2008. Written comments should be addressed to Randall D. Vaughn, Director, Secretary of State, Professional Licensing Boards Division, Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, 237 Coliseum Drive, Macon, Georgia 31217. Fax (478) 207-1363.

The Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists will consider the proposed rule amendment for adoption at its meeting scheduled to begin at 1:05 p.m. on September 12, 2008 at the Georgia Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists has the authority to adopt proposed rule amendment 135-9-.02 pursuant to authority contained in O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-10A-5, 43-10A-14, 43-10A-15, 43-10A-16 and 43-10A-17.

At its meeting July 11, 2008, the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-10A-5, 43-10A-14, 43-10A-15, 43-10A-16 and 43-10A-17.

Additionally, at its meeting July 11, 2008, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-10A-5, 43-10A-14, 43-10A-15, 43-10A-16 and 43-10A-17 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Professional Counselors, Social Workers, and Marriage and Family Therapists.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 25<sup>th</sup> day of July, 2008.

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Randall D. Vaughn  
Director  
Professional Licensing Boards

Posted: July 25, 2008

**SYNOPSIS OF PROPOSED CHANGES TO THE  
GEORGIA COMPOSITE BOARD OF  
PROFESSIONAL COUNSELORS, SOCIAL WORKERS, AND  
MARRIAGE AND FAMILY THERAPISTS  
Rule 135-9-.02 Documentation.**

**Purpose:** To amend the rule so that it will properly reflect the biennial renewal period.

Main Features: Changing the language so that the renewal period is referred to as a biennial renewal period and recognizing that licensees may renew in various ways (online or via a paper renewal) and as such the language of the rule needs to account for both methods.

**DIFFERENCES BETWEEN THE EXISTING RULE  
AND THE PROPOSED AMENDMENTS TO THE  
GEORGIA COMPOSITE BOARD OF PROFESSIONAL COUNSELORS,  
SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS  
Rule 135-9-.02 Documentation**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

**135-9-.02 Documentation.**

(1) Each licensee shall maintain for three years their own record of the continuing education activities which they have completed. The Board will not maintain continuing education files for licensees.

(2) Licensees shall attest, ~~on their biennial license renewal application,~~ when renewing biennially that they have satisfied the continuing education requirements set out in Rule 135-9-.01. Documentation of these activities should be retained by the licensee and not sent to the Board. False attestation of satisfaction of the continuing education requirements ~~on a renewal application~~ when renewing shall subject the licensee to disciplinary action, including revocation.

(3) The Board will audit a fixed percentage of the ~~renewal applications.~~ biennial renewals. Licensees whose applications are audited will be required to document their continuing education activities. Except for independent study, such documents must be in the form of a certificate of attendance, a statement signed by the provider verifying participation in the activity, or an official transcript. Documentation of independent study shall be in the form of an affidavit which includes a description of the activity, the subject material covered, the dates and numbers of hours involved.

(a) In the event an audited licensee fails to provide the Board with documentation of the hours attested to on their renewal application, the license will not be renewed.

(b) If, following the audit, the Board disqualifies any of the documented continuing education hours and the licensee no longer meets the requirements set out in Rule 135-9-.01, the license will be renewed under the condition that the licensee obtains the required continuing education hours within six months of the notice of deficiency. If the licensee does not cure the deficiency within this six month period, the license will be subject to revocation for failure to comply with the continuing education requirements.

Authority O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-10A-5, 43-10A-14, 43-10A-15, 43-10A-16 and 43-10A-17.